



Eduardo Ferrer Ramírez de Arellano
Attorney at Law

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FROM FAX (787) 721-3127

TO: Jane H. Chalmers Acting General Counsel	FROM: Eduardo Ferrer, Esq.
COMPANY: US Department of Commerce NOAA Office Of The General Counsel	DATE: September 30, 2009
FAX NUMBER: 202-482-4893	RE: Federal Consistency Appeal Villa Marina Yacht Harbour, Inc.

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MESSAGE:

Enclose Request For Extension Of Time.

**UNITED STATES DEPARTMENT OF COMMERCE
Herbert C. Hoover Building
14th Street and Constitutional Avenue, N.W.
Washington D. C. 20230**

VILLA MARINA YACHT HARBOUR, INC. *

PETITIONER

PETITIONER

*** CASE NUM.: CZ-2008-0108-040
* JOINT APPLICATION #895
* USACE CASE #SAJ.1988-516(IP-VG)**

*** CONTINUATION OF:**

*** CASE NUM.: CZ-2001-0529-117
* JOINT APPLICATION #178

REQUEST FOR EXTENSION OF TIME

TO THE HONORABLE SECRETARY:

COMES NOW, Petitioner Villa Marina Yacht Harbour, Inc. ("VMYH"), through the undersigned attorney who very respectfully informs, states and moves as follows:

1. VMYH has made contact with the PRPB in efforts to reach an agreement or understanding in the instant case, so that NOAA decision dated February 2, 2006, is considered.
2. We hereby request a 30 day extension of time commencing on the present date to file its principal brief and appendix. We respectfully state that the PRPB will suffer no prejudice by this extension.
3. The instant case is a request for relief under an existing Decision that was overridden by the PRPB in denying consistency after the NOAA review and re-opening of the case in the USCE, or in the alternative an Appeal to a consistency denial.
4. Our principal arguments were stated in our Notice of Appeal.

Wherefore, Petitioner hereby requests that a 30 day extension to file its principal brief and appendix.

RESPECTFULLY SUBMITTED.

I hereby Certify that a copy of the present document was sent via certified mail to Puerto Rico Planning Board, PO Box 41119, San Juan, Puerto Rico 000940-1119; Assistant General Counsel For Ocean Services (GCOS), 1305 East West Highway, Room 6111 SSMC 4, Silver Spring Maryland 20910; United States Army Corps of Engineers, 400 Fernández Juncos Avenue, San Juan, Puerto Rico 00901-3299.



EDUARDO J. FERRER RAMIREZ DE ARELLANO
LICENCE NUM. 12,392

P.O. BOX 9020485, SAN JUAN, PUERTO RICO 00902-0485
TEL: 721-8062; FAX: 721-3127